

REMARKS

This Amendment is submitted in reply to the Office Action dated July 25, 2008. With this Amendment, claims 8 and 10 have been canceled and claim 40 has been added. In view of the following remarks, pending claims 1, 3, 5, 11-16, 39 and 40 are in condition for allowance and reconsideration and notice to that effect are respectfully requested.

Claims 8 and 10 have been canceled without prejudice. The limitations of the claims were effectively added to independent claim 1 in the previous Amendment filed on April 25, 2008 and thus were either more broad than the limitations of claim 1 (claim 8) or were repetitive (claim 10). In view of the cancellations, the rejections of claims 8 and 10 should be withdrawn.

Rejections Under 35 U.S.C. § 103

In the Office Action, claims 1, 3, 5, 8, 10-16 and 39 were rejected under 35 U.S.C. §103(a) as being obvious over Underwood (EP 0630965) in view of Cummings (5,750,482). Independent claims 1 and 39 recite a water hardness anti-precipitant mixture including a maleic anhydride/olefin co-polymer and an EO-PO co-polymer. The Examiner concluded that Underwood discloses a liquid hard surface cleaning composition including a maleic acid-olefin co-polymer and a nonionic surfactant, but concedes that Underwood does not disclose an EP-PO co-polymer as the nonionic surfactant. (Office Action dated 07/25/08, Page 3). The Examiner attempts to meet this limitation by relying on Cummings.

Cummings discloses a glass cleaning composition including a surfactant selected from the group of anionic surfactants, nonionic surfactants, amphoteric surfactants and zwitterionic surfactants. In a list of 7 different nonionic groups, Cummings lists condensates of ethylene oxide with a hydrophobic base formed by condensation of propylene oxide with propylene glycol (e.g., nonionic surfactants of the Pluronic series). Nonetheless, the Examiner concluded that it would have been obvious to modify the composition disclosed in Underwood with a Pluronic series ionic surfactant based on Cummings absent a showing of unexpected results.

Applicants respectfully submit that a person of skill in the art would have had no reason to modify Underwood by selecting a Pluronic series surfactant from the large list of surfactants taught by Cummings. Underwood already teaches including a nonionic surfactant in the hard surface cleaning composition, an amine oxide detergent surfactant. (Page 6, lines 20-42).

Moreover, Example 1 on pages 21 and 22 of the present application demonstrates that a composition (Composition D) including both a maleic anhydride/olefin co-polymer and an EO-PO co-polymer as claimed resulted in a solution that did not form any precipitate in hard water at temperatures as low as 32 ° F. In contrast, Composition B, which included only a maleic anhydride/olefin co-polymer as disclosed by Underwood, precipitated in hard water at a temperature of about 62° F. Composition C, which included only an EO-PO co-polymer, precipitated in water at a temperature between 32° F and about 40 ° F. Neither Underwood nor Cummings disclose or suggest that markedly improved precipitation characteristics are achieved when both such components are used. Accordingly, a person of ordinary skill in the art would not have reasonably expected such results based on the teachings of these references.

Underwood and Cummings do not individually or in combination disclose, show or suggest a water hardness anti-precipitant mixture including a maleic anhydride/olefin co-polymer and an EO-PO co-polymer. Claims 1 and 39 are in condition for allowance. Therefore, the rejections of claims 1 and 39 should be withdrawn and claims 1 and 39 allowed. In that claim 1 is in condition for allowance, the rejections of claims 3, 5 and 11-16 should be withdrawn and claims 3, 5 and 11-16 allowed.

New Claim 40

New claim 40 is directed to a concentrate cleaning composition including between about 0.1 wt% and about 10 wt% anionic surfactant and amine, between about 0.5 wt% and about 1.5 wt% maleic anhydride/olefin co-polymer and between about 0.001 wt% and about 10 wt % EO-PO co-polymer. Support can be found in the specification at least at Table 1 on page 20 of the specification. Underwood and Cummings do not individually or in

combination disclose, suggest or teach a concentrate cleaning composition including the specified ranges of anionic surfactant, amine, maleic anhydride/olefin co-polymer and EO-PO co-polymer. New claim 40 should thus be allowed.

Conclusion

In summary, pending claims 1, 3, 5, 11-16, 39 and 40 are believed to be patentable for at least the reasons described above. Reconsideration and notice to that effect are respectfully requested. If there are any remaining questions, the Examiner is requested to contact the undersigned at the number listed below.

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